

**REMARKS**

Claims 1-16 are pending in this application. By this Amendment, claims 1-2, 4-6, 8-10, 12-16 are amended. Support for the amendment to claim 9 can be found in the specification at least at paragraphs [0019], [0035], [0047] and [0049], for example. Claims 1-2, 4-6, 8, 10, 12-16 are amended for clarity. No new matter is added.

The Office Action rejects claims 9-12 under 35 U.S.C. §101. By this Amendment, the specification is amended, and claim 9 is amended to obviate this rejection. Claims 10-12 depend from claim 9. Withdrawal of the 35 U.S.C. §101 rejections of claims 9-12 is earnestly solicited.

The Office Action objects claims 1, 4-5, 8-9 and 12-16 for informalities. By this Amendment, claims 1, 4-5, 8-9 and 12-16 are amended to correct the informalities.

The Office Action rejects claims 1, 3-5, 7-9, 11-13 and 15-16 under 35 U.S.C. 103(a) as being unpatentable over Binder (U.S. Publication No. 2003/0156549) in view of Grabelsky (U.S. Publication No. 2004/0003046); and claims 2, 6, 10, 14 under 35 U.S.C. 103(a) as being unpatentable over Binder in view of Grabelsky and in further view of Kumpf (U.S. Patent No. 6,370,592). These rejections are respectfully traversed.

In particular, Applicant respectfully submits that Binder, Grabelsky and Kumpf, either alone or in combination, do not disclose or suggest a testing apparatus including a host computer configured to establish simultaneous data connections respectively from at least two radio network terminals of the testing apparatus to at least one server connected to the radio network and measure each established data connection separately, as recited in independent claim 1, and similarly recited in independent claims 5, 9 and 13.

Binder discloses a method and system for evaluating wireless applications utilizing a *virtual environment*. The *virtual environment simulates* the behavior of end-users to provide a testing environment for application developers and providers. Thus, Binder does not

disclose a testing apparatus including a host computer configured to establish simultaneous data connections respectively from at least two radio network terminals of the testing apparatus to at least one server connected to the radio network and measure each established data connection separately.

Grabelsky and Kumpf do not overcome the above-noted deficiencies of Binder. Specifically, Grabelsky teaches a system and methods for providing instant services in an Internet Protocol network. The methods can provision a first communication session between *a first user terminal* and a predetermined network device, a second communication session between *a second user terminal* and the predetermined network device, and *establish an active communication session between the first user terminal and the second terminal* by bridging the first communication session and the second communication session on the predetermined network device.

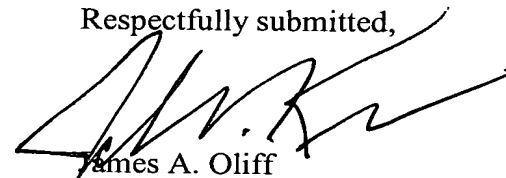
Kumpf merely disclosed *a network interface device* which allows peripherals to utilize network transport services. Accordingly, Grabelsky and Kumpf fail to disclose a testing apparatus including a host computer configured to establish simultaneous data connections respectively from at least two radio network terminals of the testing apparatus to at least one server connected to the radio network and measure each established data connection separately.

Therefore, Applicant asserts that independent claims 1, 5, 9 and 13 define patentable subject matter. Claims 2-4 depend from claim 1, claims 6-8 depend from claim 5, claims 10-12 depend from claim 9, and claims 14-16 depend from claim 13, and therefore also define patentable subject matter by virtue of their dependency, as well as the additional features they recite. Accordingly, Applicant respectfully requests that the rejections of claims 1-16 under 35 U.S.C. §103(a) be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-16 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Date: April 21, 2009

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